

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

KENNETH WESLEY SMITH, #1848189

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:21cv522


ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation (Dkt. #8) concluding that the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 should be denied and dismissed with prejudice as time-barred. No objections were timely filed.

The Court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

It is accordingly **ORDERED** that Petitioner's petition for writ of habeas corpus (Dkt. #1) is **DENIED** and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. All motions by either party not previously ruled upon are **DENIED**.

So ORDERED and SIGNED this 20th day of October, 2021.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE